

JOSEPH SAVERI LAW FIRM, INC.

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The Joseph Saveri Law Firm, Inc. specializes in antitrust law and complex civil and class action litigation in federal and state courts throughout the United States and in cases across the globe. The firm was founded in 2012 by Joseph R. Saveri. Since that time, the firm has quickly developed a track record of success in prosecuting cases on behalf of its clients and performing the highest quality legal work. Recently, the firm has been ranked as a 2014 Best Lawyers and US News Best Law Firm in the area of antitrust litigation.

With more than 25 years' civil litigation experience, Joseph R. Saveri has handled cases involving numerous industries including banking and financial services, insurance, energy, pharmaceuticals, agricultural products, computer hardware, computer software, manufacturing inputs, travel and transportation, paper products, cosmetics, and consumer electronics. Mr. Saveri has established himself as one of the country's top litigators in the antitrust field.

Over the past 25 years, Mr. Saveri has investigated, prosecuted and successfully resolved numerous antitrust class actions and other complex cases. He has served both as a court-appointed leader of such efforts, and as a valued member of the teams operating under the leadership of others. As lead or co-lead counsel in many of these cases, he has taken a personal leadership role in organizing litigation, setting strategy, establishing and directing teams of lawyers, and assigning specific tasks to teams of attorneys in a way that ensures the efficient use of resources and maximizes the talents of the litigation team. Throughout these cases, Mr. Saveri has displayed the energy, vision and commitment that leadership requires, combined with the ability to listen, share and work cooperatively so that the litigation team operates equitably, efficiently, and without friction. Mr. Saveri serves or has served as lead counsel in many class actions and other complex cases, including most recently the *Titanium Dioxide*, *High Tech Employee*, and *TFT (Flat Panel)* litigation.

A list of cases in which Mr. Saveri has served includes:

1. *In re Titanium Dioxide Antitrust Litigation*, 10-cv-00318-RDB (D. Md.). Mr. Saveri served as Co-Lead Counsel to a class of direct purchasers of titanium dioxide. This case produced a settlement of \$165 million on the day before the trial was to commence.
2. *In re High-Tech Employees Antitrust Litigation*, No. 11-cv-2509-LHK (N.D. Cal.). Mr. Saveri serves as Co-Lead Class Counsel for a class of over 60,000 employees of leading technology companies against their employers for their alleged agreements to restrict recruiting in an effort to suppress wages. The court has approved a partial settlement of \$20 million. The case against the remaining defendants is set to go to trial on April 9, 2015.
3. *Maxon Auto Enterprises, Inc. v. Carfax*, No. 13-cv-2680 (AJN) (S.D.N.Y.). The Joseph Saveri Law Firm serves as Counsel for over 400 auto dealerships in an antitrust case against Carfax for their alleged use of unlawful exclusive dealing contracts. Plaintiffs allege that Carfax has entered exclusive dealing arrangements with various auto manufacturers and leading websites that provide classified listings for used car sales, which has restricted competition in the market for vehicle history reports and led to higher prices and a lower quality product.
4. *In re Cipro Cases I and II*, JCCP Nos. 4154, 4220 (San Diego County Sup. Ct.). Mr. Saveri serves as Co-Lead Counsel for consumers who purchased Cipro, a blockbuster antibiotic drug. Plaintiffs allege that Bayer Corporation, Barr Laboratories, two other generic drug companies, and other defendants entered into an unlawful agreement to keep a generic version of the drug off the market that allowed Bayer to sell Cipro at inflated prices. In November 2013, the California Superior Court for the County of San Diego approved a \$74 million class action settlement between Bayer and the Class. The case continues against the Generic drug companies and is currently on appeal to the California Supreme Court.
5. *Fond du Lac Bumper Exchange Inc. v. Jui Li Enterprise Company Ltd. et al*, No. 2:09-cv-00852-LA (E.D. Wisc.). The Joseph Saveri Law Firm serves as counsel for a class of auto parts distributors who allege that

Taiwanese manufacturers of aftermarket sheet metal auto parts colluded to artificially raise prices and eliminate competition.

6. *Cung Le et al. v. Zuffa, LLC*, No. 5:14-cv-05484-EJD (N.D. Cal.). The Joseph Saveri law represents Elite Professional Mixed Martial Arts Fighters in a class action against Ultimate Fighting Championship or UFC. Plaintiffs allege that UFC illegally acquired and maintained monopoly power which it used to prevent other promoters from competing for the Fighters' services, which artificially suppressed wages for the Fighters. Plaintiffs also allege that UFC used its monopoly power to expropriate some fighters' likenesses, further suppressing their wages.
7. *In re Lidoderm Antitrust Litigation*, No. 14-md-02521 (N.D. Cal.). The Joseph Saveri Law Firm serves as End-Payers' Interim Liaison Counsel in a proposed class action lawsuit brought by indirect purchasers of Lidoderm against Endo Pharmaceuticals Inc., Teikoku Seiyaku Co., Inc. and Actavis Inc. (as well as their respective subsidiaries). Plaintiffs claim that Defendants entered into an illegal pay-for-delay or reverse payment agreement whereby Endo provided nearly \$100 million worth of branded Lidoderm to Actavis to keep generic lidocaine patches off the market. Endo further promised not to launch an authorized generic version of Lidoderm to compete with Actavis' generic version for seven and a half months. Plaintiffs allege that this anticompetitive scheme employed by Endo and Actavis amounted to an unlawful reverse payment that caused plaintiffs to pay higher prices for Lidoderm.
8. *In re Aluminum Warehousing Antitrust Litigation*, No. 13-md-02481-KBF (S.D.N.Y.). The Joseph Saveri Law Firm represents a class of direct purchasers of aluminum which was stored in warehouses owned and operated by Defendants JPMorgan Chase, Goldman Sachs, Glencore Xstrata and their respective subsidiaries. Plaintiffs allege that Defendants conspired to manipulate the amount of time aluminum was stored in LME-approved warehouses, which cost consumers billions of dollars in added premiums.
9. *In Re Capacitors Antitrust Litigation*, No. 14-cv-03264-JD (N.D. Cal.). The Joseph Saveri Law Firm has been appointed sole lead counsel representing a class of direct purchasers of capacitors used in

electronic devices. Plaintiffs allege that Defendants formed a cartel and conspired to fix, raise and stabilize prices in the multi-billion dollar market for aluminum, tantalum, and film capacitors.

10. *Insulate SB, Inc. v. Advanced Finishing Systems*, No. 14-2561 (8th Cir.). The Joseph Saveri Law Firm, Inc. serves as counsel for a proposed class of fast-set spray foam equipment purchasers who have alleged various federal and state antitrust violations against Graco Inc. and several of its distributors. The case is currently pending on appeal to the Eighth Circuit Court of Appeals.
11. *Meijer v. Abbot Laboratories*, Nos. 4:07-cv-5470; 4:07-cv-5702; 4:07-cv-5985 (N.D. Cal.). Joseph Saveri served as Liaison Counsel on behalf of the class of direct purchaser plaintiffs in the Norvir Antitrust Litigation. The case involved claims under Section One and Section Two of the Sherman Act in connection with the sale, marketing and pricing of the bundled drugs Norvir and Kaletra by Abbott Laboratories. Mr. Saveri participated in all phases of the litigation, including trial. Among other things, Mr. Saveri's work during jury selection of the case resulted in the landmark decision by the Ninth Circuit in *SmithKline Beecham Corp. v. Abbott Laboratories*, 740 F.3d 471 (9th Cir. 2014) confirming that equal protection prohibits discrimination based on sexual orientation in jury selection and that the Supreme Court's decision in *Batson v. Kentucky*, 476 U.S. 79 (1986), applies in civil cases. Following jury selection, the direct purchasers settled their claims in full for \$52 million.
12. *Microsoft Private Antitrust Litigation*. Representing businesses and consumers, Mr. Saveri prosecuted multiple private antitrust cases against Microsoft Corporation in state courts across the country, including Florida, New York, North Carolina, and Tennessee. Plaintiffs alleged that Microsoft engaged in anticompetitive conduct and/or violated state deceptive and unfair business practices statutes to harm competition and monopolize the markets for Intel-compatible, personal computer operating system software, as well as word processing and spreadsheet software. In August 2006, the New York Supreme Court granted final approval to a settlement that makes available up to \$350 million in benefits for New York businesses and consumers. In August 2004, the court in the North Carolina action granted final approval to a settlement valued at over

\$89 million. In June 2004, the court in the Tennessee action granted final approval to a \$64 million settlement. In November 2003, in the Florida Microsoft litigation, the court granted final approval to a \$202 million settlement, one of the largest antitrust settlements in Florida history. Mr. Saveri served as Co-Lead Counsel in the New York, North Carolina and Tennessee cases, and held leadership roles in the Florida case.

13. *In re Lupron Marketing and Sales Practices Litigation*, MDL No. 1430 (D. Mass.). In May 2005, the court granted final approval to a settlement of a class action brought by patients, insurance companies and health and welfare benefit plans that paid for Lupron, a prescription drug used to treat prostate cancer, endometriosis and precocious puberty. The settlement requires the defendants, Abbott Laboratories, Takeda Pharmaceutical Company Limited, and TAP Pharmaceuticals, to pay \$150 million, inclusive of costs and fees, to persons or entities that paid for Lupron from January 1, 1985 through March 31, 2005. Plaintiffs charged that the defendants conspired to overstate the drug's average wholesale price ("AWP"), which resulted in plaintiffs paying more for Lupron than they should have paid. Mr. Saveri served as Co-Lead Plaintiffs' Counsel.
14. *In re Buspirone Antitrust Litigation*, MDL No. 1413 (S.D.N.Y.). In November 2003, Mr. Saveri obtained a \$90 million cash settlement for individual consumers, consumer organizations, and third party payors that purchased BuSpar, a drug prescribed to alleviate symptoms of anxiety. Plaintiffs alleged that Bristol-Myers Squibb Co. (BMS), Danbury Pharmacal, Inc., Watson Pharmaceuticals, Inc. and Watson Pharma, Inc. entered into an unlawful agreement in restraint of trade under which BMS paid a potential generic manufacturer of BuSpar to drop its challenge to BMS' patent and refrain from entering the market. Mr. Saveri served as Plaintiffs' Co-Lead Counsel.
15. *California Vitamin Cases*, J.C.C.P. No. 4076 (San Francisco Superior Ct.). Mr. Saveri served as Co-Liaison Counsel and Co-Chairman of the Plaintiffs' Executive Committee on behalf of a class of California indirect vitamin purchasers in every level of the chain of distribution. In January 2002, the court granted final approval of a \$96 million settlement with certain vitamin manufacturers in a class action

alleging that these and other manufacturers engaged in price fixing of particular vitamins. In December 2006, the court granted final approval to over \$8.8 million in additional settlements.

16. *Pharmaceutical Cases I, II, and III*, J.C.C.P. Nos. 2969, 2971, and 2972 (San Francisco County Sup. Ct.). Mr. Saveri served as Co-Lead and Co-Liaison Counsel representing a certified class of indirect purchasers (consumers) on claims against the major pharmaceutical manufacturers for violations of the Cartwright Act and the Unfair Competition Act. The class alleged that defendants unlawfully fixed discriminatory prices on prescription drugs to retail pharmacists in comparison with the prices charged to certain favored purchasers, including HMOs and mail order houses. In April 1999, the court approved a settlement providing \$148 million in free, brand-name prescription drugs to health agencies that serve California's poor and uninsured. In October 2001, the court approved a settlement with the remaining defendants in the case, which provided an additional \$23 million in free, brand-name prescription drugs to these agencies.
17. *In re Electrical Carbon Products Antitrust Litigation*, MDL No. 1514 (D.N.J.). Mr. Saveri represented the City and County of San Francisco and a class of direct purchasers of carbon brushes and carbon collectors on claims that producers fixed the price of carbon brushes and carbon collectors in violation of the Sherman Act.
18. *In re Travel Agency Commission Antitrust Litigation*, MDL No. 1058 (D. Minn.). Mr. Saveri served as Co-Lead Counsel for a certified class of U.S. travel agents on claims against the major U.S. air carriers, who allegedly violated the federal antitrust laws by fixing the commissions paid to travel agents. In 1997, the court approved an \$82 million settlement.
19. *In re Brand Name Prescription Drugs*, MDL No. 997 (N.D. Ill.). Mr. Saveri served as Class Counsel for a class of tens of thousands of retail pharmacies against the leading pharmaceutical manufacturers and wholesalers of brand name prescription drugs for alleged price-fixing from 1989 to 1995 in violation of the federal antitrust laws. Class Plaintiffs charged that defendants engaged in price discrimination against retail pharmacies by

denying those discounts provided to hospitals, health maintenance organizations, and nursing homes. In 1996 and 1998, the court approved settlements with certain manufacturers totaling \$723 million.

BIOGRAPHIES

Attorneys

Joseph R. Saveri

Joseph Saveri began his career doing general litigation work at the San Francisco law firm of McCutchen, Doyle, Brown & Enersen. In 1992, Mr. Saveri joined the plaintiffs' firm Lieff, Cabraser, Heimann & Bernstein, where he founded and developed the firm's Antitrust and Intellectual Property practice, which he established and chaired. He also served as the firm's Managing Partner and Chair of the firm's Antitrust and Intellectual Property practice group. In 2012, the Antitrust and Intellectual Property practice group was recognized as one of the top five practice groups in California. Mr. Saveri left Lieff Cabraser in May of 2012 to start his own firm, the Joseph Saveri Law Firm, Inc.

Between 2010 and 2013, Mr. Saveri was chosen to serve as a Lawyer's Representative for the United States District Court for the Northern District of California and the Ninth Circuit Court of Appeals. He has served and serves on a number of court committees charged with developing rules and programs regarding complex litigation, ediscovery and a variety of other matters. Mr. Saveri was chosen to serve as a member of the Northern District's Civil Rules Advisory Committee from 2009-2012, the committee to establish rules and procedures for expedited trials, which the court adopted as General Rule 64, Expedited Trial Procedures, and the committee which crafted the new ediscovery rules and procedures recently adopted by the court. Mr. Saveri is also a frequent author of articles on antitrust and complex litigation issues, and a frequent lecturer on a variety of matters, including antitrust, complex litigation, class action practice and discovery. He is a member of the Advisory Board of the American Antitrust Institute.

An AV-Peer Review Rated Attorney by Martindale-Hubbell, Mr. Saveri has been selected by peer and blue-ribbon panel review to the Best Lawyers in America for antitrust litigation, 2012-2015. He has been named a Northern California Super Lawyer by Thomson Reuters' Super Lawyers publication from 2006-2014, and was named one of the "Top Attorneys in Antitrust Law" by the Super Lawyers Corporate Counsel Edition in 2010 and 2012-2014. In 2014, he was selected for inclusion in Who's Who Legal: Competition, and was named a Leading Labor & Employment Lawyer in California by the Daily Journal Corporation's editorial staff. He was recently named a Band 1 (top-ranked) plaintiffs' antitrust attorney for California and nationwide by Chambers

USA, and was recently named “One to Watch” by Acquisition International magazine. On October 30, 2014, Law360 named Mr. Saveri a “Titan Of The Plaintiffs’ Bar,” citing his leadership and vision in extending the reach of antitrust cases into new areas such as pharmaceutical reverse payments and “no-poach” agreements by high-tech employers. He also serves as an author of California State Antitrust and Unfair Competition Law, the legal treatise published by the State Bar of California’s Antitrust and Unfair Competition Section.

Mr. Saveri has performed virtually every aspect of complex and class action litigation, including, among other things, factual and economic analysis of market conditions and pricing practices, drafting of pleadings, law and motion matters, organizing electronic discovery, creating a discovery plan, administering and directing on-line review of documents which requires coordination of dozens of lawyers fluent in English and foreign languages, propounding written discovery, taking and defending percipient and expert witness depositions, organizing the factual record, briefing and arguing summary judgment, trial and appellate work.

Mr. Saveri received his J.D. from the University of Virginia Law School in 1987. He received his B.A., with honors, in 1984 from the University of California, Berkeley.

Andrew M. Purdy

Andrew M. Purdy has litigated a wide array of federal and state cases from inception to conclusion, either at trial or by the court’s disposition, over the last 12 years. Prior to joining Joseph Saveri Law Firm in May 2014, Andrew practiced with international law firms in both New York City and San Francisco, where he represented individuals, public and private companies, professional services firms and financial institutions in numerous consumer and securities class actions, regulatory enforcement actions, white collar criminal investigations and matters, and complex commercial and intellectual property cases. He previously served as a sworn prosecutor in San Francisco District Attorneys’ Office, conducting criminal jury trials on the City and County’s behalf. In addition to his litigation experience, Andrew has performed complex factual investigations as part of several corporate internal investigations either arising from whistleblower reports or independently initiated by board committees.

Andrew has extensive experience performing every aspect of complex litigation. Specifically, he has conducted and overseen voluminous document productions and reviews, and has personally synthesized the yield of such reviews to prepare

for affirmative and defensive discovery. He has written and responded to discovery, as well as taken and defended countless fact and expert witness depositions. Andrew also has researched, written and argued a variety of dispositive and non-dispositive motions.

Andrew received his J.D., cum laude, from American University, Washington College of Law in 2002, where he was a Note and Comment Editor of the *American University Law Review*. He received his B.A., cum laude, in Political Science from Vanderbilt University in 1999.

Matthew S. Weiler

Matthew S. Weiler has over ten years of experience litigating complex matters in California state and federal courts. Matthew focuses his practice on complex commercial litigations, including class actions, antitrust, securities, corporate ownership and control, sports law, and Foreign Sovereign Immunity Act litigation. Before joining the Joseph Saveri Law Firm, Matthew was an associate at two international law firms in Los Angeles and San Francisco, where he represented athletes, a professional sports franchise, companies of various sizes, and a foreign government.

At the Joseph Saveri Law Firm, Matthew advocates on behalf of the firm's clients in several different industries, including technology and professional sports. He focuses his practice on prosecuting antitrust conspiracies, and representing individuals, companies, and investors who have been harmed by fraud and unfair business practices.

In 2013 and 2014, Matthew was named a Northern California "Rising Star" by Thomson Reuters' Super Lawyers publication.

Matthew received his J.D., cum laude, from the University of Michigan Law School in 2004. He received his B.A., with honors and highest distinction, in Economics from the University of Michigan in 2001, where he was a member of Phi Beta Kappa and a James B. Angell Scholar. From 2000 to 2001, he studied English Literature at St. Edmund Hall, Oxford.

Matthew is admitted to practice in California and before the U.S. Court of Appeals for the Ninth Circuit and the U.S. District Courts for the Northern, Eastern, Southern, and Central Districts of California.

Kevin Rayhill

Kevin Rayhill specializes in complex class actions involving antitrust claims. He represents plaintiffs harmed by the anticompetitive practices of powerful corporations in markets such as automobiles, steel, commodities warehousing, long-haul trucking, paint manufacture, plastics and commercial food products. Kevin is a graduate of Oberlin College (B.A.), the Berklee College of Music (Professional Diploma), and the University of California, Hastings College of the Law (J.D.). While in law school, he held internships at the California Attorney General's Office (Environment, Land Use, and Natural Resources Division) and the San Francisco City Attorney's Office (Energy and Telecommunications Team), and an externship with Justice Stuart R. Pollak of the California Court of Appeal (First District). Upon graduation he worked as a Legal Research Attorney at the Superior Court of San Francisco (Criminal Division).

James Dallal

Since joining the Joseph Saveri Law Firm, James Dallal has focused on complex class actions involving antitrust claims. He has practiced in all phases of antitrust litigation from pleadings through discovery, class certification, dispositive motions, and appellate briefing. Prior to joining the firm he worked for a boutique plaintiffs' firm in Los Angeles that assisted borrowers in their suits against the financial industry. He attended Rice University (B.A., History), Hastings College of the Law (J.D. cum laude), and Université Panthéon-Assas in Paris (LL.M. in European Law, first in class and mention bien). Prior to attending law school he worked as a paralegal for a major international firm in its patent litigation group. He has certified proficiency in French and Portuguese.

Ryan J. McEwan

Ryan J. McEwan focuses his practice on complex civil and class action litigation in state and federal court. Since joining the Joseph Saveri Law Firm, Ryan has participated in all phases of antitrust litigation including pre-filing investigation, law and motion practice, discovery, pre-trial, jury selection, trial, and appellate briefing. Prior to joining the Joseph Saveri Law Firm Ryan served as a fellowship attorney in the Antitrust Section of the California Department of Justice. Ryan received his B.A. in Political Science from the University of Oregon. He earned his J.D., magna cum laude, Order of the Coif, from the University of California Hastings College of the Law in 2012. During law

school, Ryan served as a judicial extern to the Honorable John E. Munter of the San Francisco Superior Court, Complex Litigation Department.

Counsel

Joshua P. Davis

Joshua P. Davis has been involved in class actions in general and in antitrust class actions for over fifteen years. He graduated from NYU School of Law, serving as the Senior Articles Editor of the Law Review and receiving the Frank Sommer Award for the top general scholarship and achievement in his class. He clerked for the Honorable Patrick Higginbotham, the United States Court of Appeals for the Fifth Circuit. He was a partner at Lieff, Cabraser, Heimann & Bernstein LLP until he joined the law faculty of the University of San Francisco School of Law, where he now serves as Associate Dean for Academic Affairs. He has written dozens of law review articles, many of them on class actions and private antitrust enforcement. He has also participated as part of the team prosecuting numerous active antitrust and other class actions.